

REMARKS

Reconsideration and allowance of this application are respectfully requested. Claims 9-19 and 21 are canceled. Accordingly, claims 1-8, 20, and 22-36 remain in this application and, as amended herein, are submitted for the Examiner's reconsideration.

Claims 2, 4, 22, 24, 29, and 30 have been amended solely to have the claims better conform to requirements of U.S. practice. None of these amendments is intended to narrow the scope of any of these claims, and no new matter has been added by these amendments.

In the office action, claims 1-8, 20, and 22-36 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Klug (U.S. Patent No. 6,823,327) in view of Bezos (U.S. Patent No. 6,029,141). Applicant submits that the claims are patentably distinguishable over the relied-on references.

As amended herein, claim 1 recites:

payment processing means for executing a process to pay an introduction fee to said first information processing apparatus in response to successful authentication of the received user identifier and the received generation source identifier, said first information processing apparatus being identified using the received generation source identifier as the introducer of the user operating the terminal device.

(Emphasis added.) Neither the relied on sections of Klug nor the relied on sections of Bezos disclose or suggest executing a process to pay an introduction fee to a first information processing apparatus, and neither the relied on sections of Klug nor the relied on sections of Bezos disclose or suggest executing a process to pay such introduction fee in response to successful authentication of a received user identifier and a received generation source identifier.

The Examiner acknowledges that "Klug does not explicitly disclose:... payment processing means executing a

process to pay a fee... " but contends that Bezos "teaches compensating associates for the number of referrals to the merchant's website". The relied on sections of Bezos, however, actually describe that:

...[B]ecause the compensation provided to the associates is performance-based (e.g., based on the number of referrals that result in actual sales), the merchant need not be concerned with the existence of large numbers of associates that provide relatively small numbers of referrals.

(Emphasis added; see col.3 ll.36-42.) Namely, such relied on sections of Bezos teach away from compensating associates solely for the number of referrals to a merchant's website. Given such a teaching away by the relied on sections of Bezos, a person of ordinary skill in the relevant art would not look to combine the teachings of the relied on sections of Klug with the teachings of the relied on sections of Bezos.

It follows that, for at least these reasons, neither the relied-on sections of Klug nor the relied-on sections of Bezos, whether taken alone or in combination, disclose or suggest the system defined in claim 1, and claim 1 is therefore patentably distinct and unobvious over the cited references.

Independent claim 20 has been amended to recite features similar to those set out in the above excerpt of claim 1. Claim 20 therefore patentably distinct and unobvious over the relied on sections of Klug and Bezos for at least the same reasons.

Claims 2-8 and 29-32 depend from claim 1, and claims 22-28 and 33-36 depend from claim 20. Therefore, each of claims 2-8 and 22-36 is distinguishable over the relied-on references at least for the same reasons as the claim from which it depends.

Accordingly, applicant respectfully requests the withdrawal of the rejection under 35 U.S.C. § 103(a).

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

By 

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